

OFFICE OF THE GENERAL COUNSEL

MEMORANDUM GC 97-1

January 3, 1997

TO: All Regional Directors, Officers-In-Charge
and Resident Officers

FROM: Fred Feinstein
General Counsel

SUBJECT: Impact Analysis Case Management System

The Impact Analysis case management system has been in operation in all regional offices for several months now, and some feedback has recently been obtained by the Impact Analysis Work Group as to how the system is working in each office. I would like to share with you some of my observations based on that feedback.

The program appears to be working as intended with respect to insuring that regional office resources are directed first toward the cases of greatest impact and helping to insure that office casehandling backlogs consist mostly of lower impact cases. In fact, both employees and supervision have observed that Impact Analysis has relieved much of the stress they had been experiencing over their backlogged caseloads by establishing a clear set of priorities among different kinds of cases. This has made it much easier for them to determine which of their cases should be getting their attention first and to better focus on those cases. There also appears to be acceptance and approval by the public and an understanding of the need to make rational choices about how to allocate our diminished resources.

Impact Analysis appears to be working smoothly in those offices where the employees and management have been working together to make the program as effective as possible. I am concerned, however, that there are some other offices which have not fully implemented the entire Impact Analysis program. These offices have not adequately explored and implemented changes in the way they manage cases despite the differences in priority now recognized under Impact Analysis, nor have they properly embraced the teamwork concept. Some offices have failed to utilize the "Lightening the Load" alternatives for investigating cases, or they have used them very sparingly and only for category 1 cases. See Memorandum GC 95-15. Impact Analysis is much more than simply establishing a new set of casehandling time targets.

Every Regional Office must evaluate its internal processes for managing cases if the basic principles underlying Impact Analysis are to be effective. The proper maintenance of three separate "tracks" of cases simultaneously requires that at least some changes in case management be made so that all cases are getting the appropriate amount of attention. The November 1995 Training Manual for Impact Analysis at pages 7 and 8 provides an excellent framework for such an examination. Relevant to case management are the "Lightening the Load" techniques. These techniques certainly should be in regular use for virtually all category 1 cases, and some can be useful for some category 2 and 3 cases; for instance, one way some offices have effectively managed their category 2 cases is to increase their use of telephone affidavits. A review of the Lightening the Load memorandum should be undertaken by all offices.

It appears that some offices feel that their workloads are such that they can continue to employ the procedures they have always used for all cases, such as taking face-to-face affidavits in all cases, because they can still complete all cases in a timely manner. However, a basic tenet of Impact Analysis is that all of the Agency's resources need to be utilized as effectively as possible, not just in those offices which are backlogged. Therefore, all offices are to employ the most efficient techniques and procedures available, regardless of workload, so that use of interregional cooperation can be made to better manage the entire field's caseload.

I am pleased to learn that where it has been fully embraced the teamwork concept has been working very well, with employees and supervisors alike pitching in to do that which is necessary to complete a quality investigation in a timely manner, particularly with respect to Category 3 cases. However, there are offices in which it appears that teamwork principles have not been successfully implemented, or, in some cases, even tried. This is not consistent with full implementation of Impact Analysis. Therefore, to assist those offices which have not fully implemented the teamwork concept, as well as those which are making progress but are not there yet, I would like to review the most important elements of a teamwork approach to casehandling.

First, there must be open and frequent communication among team members regarding their workloads, casehandling situations, competing priorities and availability to assist each other. While I am not requiring that any particular means of communication be used, experience has shown that having regular weekly team meetings seems to be an effective means of accomplishing this objective.

Second, there must be a recognition that the work of the team as a whole is the whole team's responsibility. What this means is that while each agent is primarily responsible, and accountable, for the cases assigned to her or him, the team supervisor and other team members also have the responsibility to help out when possible. Thus, if the team supervisor is able to do something to expedite the case when an agent is unavailable, perhaps by returning a party's phone call to get more information or respond to an inquiry, he or she should do so. Teamwork is not limited to assigning more than one agent to a case; it includes "pitching-in" by supervisors and other team members to the extent they are available to do whatever they can to help complete the cases. This is not to imply that supervisors have a great deal of spare time to perform casehandling tasks; to the contrary, Impact Analysis has unavoidably created additional administrative and organizational demands on supervisors. Rather, it means only that, consistent with Impact Analysis principles, all team members, supervisory and rank-and-file alike, must be alert to opportunities to complete team work assignments in the most thorough and expeditious manner possible.

Third, to the extent that there are agents who, because of a lack of experience or expertise are not regularly assigned to handle the more complex cases, these individuals are members of the team and should be utilized, when possible, to assist in complex investigations assigned to other team members. Everyone's talents should be used to the fullest extent possible.

Fourth, the teamwork concept constitutes a different approach to managing cases than that traditionally followed and is designed to facilitate improved efficiency in the use of all available Agency resources. Therefore, teamwork must be employed even if cases continue to be timely processed so as to save resources which can be utilized to assist other Regional Offices.

I am pleased to learn that Impact Analysis is working quite well in many Regional Offices. It is very important, however, that the program be fully embraced by all Regional Offices. If you have not already done so, please implement all aspects of the Impact Analysis program as more fully described in the November 1995 Training Manual.

If you have any questions, please contact your Assistant General Counsel.

F.F.

cc: NLRBU